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ACCEPTED FOR PROCESSING - 2019 December 10 9:19 AM - SCPSC - 1998-443-C - Page 1 of 8

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November 30, 1998

S. C. PUBLIC SERVICE COMMISSION
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UTILITIES DEPARTMENT

Mr. Gary E. Walsh
Executive Director
Public Service Commission of South Carolina
Koger Executive Center, Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

RE: The Other Phone Company, Inc. d/b/a
Access One Communications
Docket No. 98-443-C
Our File No. 15039.01

S. C. PUBLIC SERVICE COMMISSION
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Dear Mr. Walsh:

The South Carolina Consumer Advocate's office requested that we make the following revisions to the proposed tariff of The Other Phone Company, Inc., d/b/a Access One Communications:

1. page 27, § 2.6.2(f) Billing and Collection

Revised the first sentence to indicate that disputes must be presented within the applicable statute of limitations.

2. page 40, § 2.13 Marketing

Added the Commission's standard language concerning marketing.

Enclosed for filing please find the above-referenced pages. By copy of this letter we are serving the same on counsel for the Intervenor. Please date-stamp the extra copies of the proposed pages as proof of filing and return them with our courier.

The company also intends to revise its illustrative tariff by including maximum rates for residential long distance services and local exchange services when it files its initial tariff.

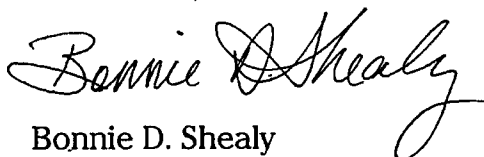
Mr. Gary Walsh
November 30, 1998
page 2

In response to the South Carolina Telephone Association's Petition to Intervene, the company only plans to market service under the name Access One Communications in South Carolina. Mr. Griffo will address this issue at the hearing.

If you have any questions, please have someone on your staff contact me.

Very truly yours,

ROBINSON, McFADDEN & MOORE, P.C.



Bonnie D. Shealy

/bds
Enclosures

cc/enc: Ms. Connie Wightman
Mr. Kevin Griffo
Margaret M. Fox, Esquire
Ms. Angela Yeadon, South Carolina Department of Consumer Affairs

SECTION 2.0 - RULES AND REGULATIONS, (Cont'd.)

2.6 Payment Arrangements, (Cont'd.)

2.6.2 Billing and Collection of Charges, (Cont'd.)

- (D) Billing of the Customer by the Company will begin on the Service Commencement Date, which is the day on which the Company notifies the Customer that the service or facility is available for use, except that the Service Commencement Date may be postponed by mutual agreement of the parties, or if the service or facility does not conform to standards set forth in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or component is discontinued.
- (E) If any portion of the payment is not received by the Company within 30 days of receipt of the bill, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment, then a late payment charge of 1.5% per month shall be due to the Company. A late payment charge is not applicable to subsequent rebilling of any amount to which a late payment charge has already been applied. Late payment charges are to be applied without discrimination.
- (F) The Customer should notify the Company of any disputed items on an invoice within an interval from receipt of the invoice that is within the State's statute of limitations. If the Customer and the Company are unable to resolve the dispute to their mutual satisfaction, the Customer may file a complaint with the South Carolina Public Service Commission in accordance with the Commission's rules of procedure. The address of the Commission is as follows:

South Carolina Public Service Commission
Koger Executive Center
101 Executive Center Dr.
Columbia, SC 29210
- (G) If service is disconnected by the Company (in accordance with Section 2.6.3 following) and later re-installed, re-installation of service will be subject to all applicable installation charges. If service is suspended by the Company (in accordance with Section 2.6.3 following) and later restored, restoration of service will be subject to the rates in Section 4.3 of this tariff.

Issued: September 11, 1998

Effective:

By:

Kevin D. Griffo, President and COO

SECTION 2.0 - RULES AND REGULATIONS (Cont'd.)

2.12 Notices and Communications

- 2.12.1 The Customer shall designate on the service order an address to which the Company shall mail or deliver all notices and other communications, except that Customer may also designate a separate address to which the Company's bills for service shall be mailed.
- 2.12.2 The Company shall designate on the service order an address to which the Customer shall mail or deliver all notices and other communications, except that Company may designate a separate address on each bill for service to which the Customer shall mail payment on that bill.
- 2.12.3 Except as otherwise stated in this tariff, all notices or other communications required to be given pursuant to this tariff will be in writing. Notices and other communications of either party, and all bills mailed by the Company, shall be presumed to have been delivered to the other party on the third business day following placement of the notice, communication or bill with the U.S. Mail or a private delivery service, prepaid and properly addressed, or when actually received or refused by the addressee, whichever occurs first.
- 2.12.4 The Company or the Customer shall advise the other party of any changes to the addresses designated for notices, other communications or billing, by following the procedures for giving notice set forth herein.

2.13 Marketing

As a telephone utility under the regulation of the Public Service Commission of South Carolina, the Company hereby asserts and affirms that as a reseller of intrastate service, the Company will not indulge or participate in deceptive or misleading telecommunications marketing practices to the detriment of consumers in South Carolina, and the Company will comply with those marketing practices, if any, set forth by the Commission. Additionally, the Company will be responsible for the marketing practices of its contracted telemarketers for compliance with this provision. The Company understands that violation of this provision could result in a rule to Show Cause as to the withdrawal of its certification to complete intrastate telecommunications traffic within the State of South Carolina.

Issued: September 11, 1998

Effective:

By:

Kevin D. Griffo, President and COO

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

Docket No. 98-443-C

IN RE: Application of)
The Other Phone Company, Inc.)
d/b/a Access One Communications)
for a Certificate of Public Convenience)
and Necessity To Provide Local Exchange)
and Resold Long Distance)
Telecommunications Services)

CERTIFICATE OF SERVICE BY MAIL

This is to certify that I, Nancy P. Semenak, a legal assistant with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the revisions to the proposed tariff of The Other Phone Company, Inc., d/b/a Access One Communications in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Margaret M. Fox, Esquire
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29201

Dated at Columbia, South Carolina this 30th day of November, 1998.


Nancy P. Semenak

SECTION 2.0 - RULES AND REGULATIONS, (Cont'd.)

2.6 Payment Arrangements, (Cont'd.)

2.6.2 Billing and Collection of Charges, (Cont'd.)

- (D) Billing of the Customer by the Company will begin on the Service Commencement Date, which is the day on which the Company notifies the Customer that the service or facility is available for use, except that the Service Commencement Date may be postponed by mutual agreement of the parties, or if the service or facility does not conform to standards set forth in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or component is discontinued.
- (E) If any portion of the payment is not received by the Company within 30 days of receipt of the bill, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment, then a late payment charge of 1.5% per month shall be due to the Company. A late payment charge is not applicable to subsequent rebilling of any amount to which a late payment charge has already been applied. Late payment charges are to be applied without discrimination.
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- (G) If service is disconnected by the Company (in accordance with Section 2.6.3 following) and later re-installed, re-installation of service will be subject to all applicable installation charges. If service is suspended by the Company (in accordance with Section 2.6.3 following) and later restored, restoration of service will be subject to the rates in Section 4.3 of this tariff.

Issued: September 11, 1998

Effective:

By:

Kevin D. Griffo, President and COO

SECTION 2.0 - RULES AND REGULATIONS, (Cont'd.)

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Docket No. 98-443-C

IN RE: Application of)
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for a Certificate of Public Convenience)
and Necessity To Provide Local Exchange)
and Resold Long Distance)
Telecommunications Services)

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This is to certify that I, Nancy P. Semenak, a legal assistant with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the revisions to the proposed tariff of The Other Phone Company, Inc., d/b/a Access One Communications in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Margaret M. Fox, Esquire
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Nancy P. Semenak